

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By **CHAIRMAN BILL THOMAS**, on March 17, 2003 at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Bill Thomas, Chairman (R)
Rep. Arlene Becker, Vice Chairman (D)
Rep. Mark Noennig, Vice Chairman (R)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Ray Hawk (R)
Rep. Daniel S. Hurwitz (R)
Rep. Larry Jent (D)
Rep. Penny Morgan (R)
Rep. Holly Raser (D)
Rep. Don Roberts (R)
Rep. Ron Stoker (R)
Rep. Jon Windy-Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Susan Fox, Legislative Branch
CJ Johnson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed. The time stamp for these minutes appears at the end of the content it refers to.

Committee Business Summary:

Hearing & Date Posted: SB 105, SB 113, 3/12/2003
Executive Action: None

HEARING ON SB 113

Sponsor: SEN. JOHN ESP, SD 13, Big Timber

Opening Statement by Sponsor:

SEN. ESP opened the hearing on SB 113 and explained to the Committee that this bill would define what a healthcare facility is and what it isn't. **SEN. ESP** asked the members to carefully consider SB 113.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 1.6}

Proponents' Testimony:

Mary Dalton, State of Montana, Department of Public Health and Human Services, Quality Assurance Division, informed the Committee that this bill was brought forward at the request of this department. Ms. Dalton referred to Eastmont and Montana Development Center as being licensed under nursing home standards; these standards do not adequately address the needs of residents committed to those institutions. This bill would create a new licensor category.

{Tape: 1; Side: A; Approx. Time Counter: 1.6 - 2.3}

Anita Roessmann, Montana Advocacy Program, spoke to the Committee about Page 10, Line 13 where the Department will accept Medicaid standards with the exception of active treatment standards. The organization that she represents objects to making an exception for active treatment standards referred to in that section of the bill. If the Department is going to commit people to secure facilities, then "we" also have to provide them with the "keys" or treatment to get them released from there.

{Tape: 1; Side: A; Approx. Time Counter: 2.3 - 6.4}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. HAWK, ROBERTS, RASER, STOKER, NOENNIG, MORGAN, WINDY-BOY, and THOMAS extensively questioned the sponsor, Ms. Dalton, Ms. Roessmann, and Mr. Wally Melcher, Montana Association of Independent Disability Services. Among the questions asked were, the meaning of ICFDD, the objections by the Montana Advocacy Program of the referred-to language, active treatment options,

treatment of sexual offenders, payment from Medicaid for treatment and the criteria that needs to be met to qualify for receiving Medicaid benefits.

{Tape: 1; Side: A; Approx. Time Counter: 6.4 - 30}

{Tape: 1; Side: B; Approx. Time Counter: 0 - 23}

Closing by Sponsor:

SEN. ESP closed the hearing on SB 113 and stated to the Committee that this bill may need some amendments and urged the Committee to support this bill.

{Tape: 1; Side: B; Approx. Time Counter: 23 - 24}

HEARING ON SB 105

Sponsor: SEN. ROYAL JOHNSON, SD 5, Billings

Opening Statement by Sponsor:

SEN. JOHNSON opened the hearing on SB 105 by informing the Committee that Montana currently does not acknowledge the national accreditation standards for ambulatory service centers. This bill would address that problem.

SEN. JOHNSON also referred to Page 3, Lines 8 and 27, where he would request the deletion of a portion of language therein.

{Tape: 1; Side: B; Approx. Time Counter: 24 - 26.9}

Proponents' Testimony:

Mary Dalton, State of Montana, Department of Health and Human Services (DPHHS), Quality Assurance Division, stated to the Committee that this bill is being introduced at the request of DPHHS. This bill will streamline how the Department interacts with private business by eliminating duplication between State licensors and national accreditation.

EXHIBIT (huh56a01)

{Tape: 1; Side: B; Approx. Time Counter: 26.9 - 30}

{Tape: 2; Side: A; Approx. Time Counter: 0 - 2.6}

Jani McCall, Montana Children's Initiative, spoke in support of SB 105. She stated that the language is permissive as it relates

to the accreditation process that would be used. This is cost-effective and also improves efficiency.

{Tape: 2; Side: A; Approx. Time Counter: 2.6 - 3.1}

Gloria Hermanson, Montana Association of Ambulatory-Serving Centers, rose in support of SB 105.

{Tape: 2; Side: A; Approx. Time Counter: 3.1 - 4.3}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

REPS. ROBERTS, WINDY-BOY, and FACEY questioned the sponsor, Ms. Hermanson, Ms. Dalton, Ms. McCall and Mr. Roy Kemp, State of Montana, Department of Public Health and Human Services. Among the questions asked were the differences between AAHC and JCH, the accreditations that would be recognized, and the Medicaid and Medicare language.

{Tape: 2; Side: A; Approx. Time Counter: 4.3 - 14.7}

Closing by Sponsor:

SEN. JOHNSON closed the hearing on SB 105 and stated that this is a necessary bill.

{Tape: 2; Side: A; Approx. Time Counter: 14.7 - 16}

ADJOURNMENT

Adjournment: 4:30 P.M.

REP. BILL THOMAS, Chairman

CJ JOHNSON, Secretary

BT/CJ

EXHIBIT (huh56aad)